

*South Carolina State Conference of The NAACP, et al. v. Ellen Weaver in her official capacity as South Carolina Superintendent of Education, et al.*

Civil Action No.: 3:25-cv-487-SAL

# Exhibit E

**to Defendants Weaver's and Lexington County School District Three's Response in  
Opposition to Plaintiffs' Motion for a Preliminary Injunction**

**Declaration of Randy Fox**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

SOUTH CAROLINA STATE CONFERENCE OF  
THE NAACP; IBRAM X. KENDI; AYANNA  
MAYES; MARY WOOD; T.R., a minor by and  
through their father and next friend, TODD  
RUTH-ERFORD; and J.S., a minor by and  
through their mother and next friend, AMANDA  
BRADLEY,

Plaintiffs,

v.

ELLEN WEAVER in her official capacity as  
South Carolina Superintendent of Education;  
LEXINGTON COUNTY SCHOOL DISTRICT  
THREE; and SCHOOL DISTRICT FIVE OF  
LEXINGTON & RICHLAND COUNTIES,

Defendants.

Civil Action No. 3:25-cv-487-SAL

**DECLARATION OF RANDY FOX**

I, **Randy Fox**, declare pursuant to 28 U.S.C. § 1746 as follows:

1. My name is Randy Fox. I am over the age of 18 and am competent to make this declaration. I am a citizen and resident of South Carolina. The facts stated herein are true of my own personal knowledge, and if called to testify, I would so testify.
2. I am currently retired after completing thirty eight years in the banking industry. This tenure included Beneficial, Lexington State Bank, Branch Banking and Trust and Congaree State Bank. My job titles included Branch Manager, Collections / Recovery Manager, Commercial Credit Administration and Chief Credit Officer. After retirement, I have been working part time as an English As A Second Language Instructor for Lexington County School District Three for the past nine years.
3. I have a Bachelor's degree in Business from Lander University. I also have a Master's degree in Business Administration from The University of South Carolina.
4. I was a member of the committee formed by Lexington County School District Three in November 2022 to review the book *Stamped: Racism, Antiracism, and You*


Declaration of Randy Fox

April 17th, 2025

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- ("Stamped") and consider whether the District should include it in its libraries or media centers.
5. As part of my role on the committee, I read *Stamped* and assessed its educational suitability, including but not limited to its objective accuracy and validity.
  6. In determining my recommendation regarding *Stamped*, I considered the rights and responsibilities of the students, parents and legal guardians, and teachers of District Three. I also relied on my independent evaluation of the book and its academic rigor and educational suitability.
  7. After completing our review, I recommended *Stamped* be removed from the District's libraries and media centers because of its lack of accuracy and objectivity.
  8. The committee's discussion of *Stamped* and my recommendation were grounded in the fact that *Stamped* is a non-fiction book that includes some misrepresentations or incomplete descriptions of historical events that, in my view, made some of the book's assertions or descriptions inaccurate or misleading.
  9. I do not object to including books in District Three's curricula and libraries that discuss issues or stories of race, racism, enslaved people, civil rights, social justice, or the historic or contemporary experience of being black in America if those books are educationally suitable and, in the case of nonfiction books, are objectively accurate.
  10. My recommendation to remove *Stamped* from District Three's libraries and media centers was motivated not by any disagreement with or opposition to the topic of the book or the viewpoint expressed by the authors but by the fact that the book contains errors and omissions that diminish its educationally suitable for the District's students.
  11. I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 17th day of April, 2025.

  
Randy Fox